

Message Text

PAGE 01 TOKYO 05185 181232Z

44

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TO SECSTATE WASHDC 9545

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DEPT PASS TO COUNCIL ON ENVIRONMENTAL QUALITY AND
ENVIRONMENTAL PROTECTION AGENCY

E.O. 11652: N/A

TAGS: SENV, JA, US

SUBJECT: US-JAPAN AGREEMENT ON ENVIRONMENTAL PROTECTION

REF: A) STATE 276010 (12/17/74), B) STATE 261253 (11/27/74)

1. ON APRIL 15, FONOFF GAVE EMBOFF LATEST GOJ DRAFT OF PROPOSED
ENVIRONMENT AGREEMENT. TEXT FOLLOWS.

BEGIN TEXT:

THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE UNITED
STATES OF AMERICA,

BELIEVINNG THAT COOPERATION BETWEEN THE TWO GOVERNMENT IS OF
MUTUAL ADVNTAGE IN COPING WITH SIMILAR PROBLEMS OF ENVIRONMENTAL
PROTECTION IN EACH COUNTRY AND IS ESSENTIAL IN
MEETING THE RESPONSIBILITIES OF EACH GOVERNMENT FOR
PTOECTION AND IMPROVEMENT OF THE GLOBAL ENVIRONMENT, AND
DESIRING TO STRNGTHEN FURTHER SUCH COOPERATION AND TO
DEMONSTRATE ITS IMPORTANCE,
HAVE AGREED AS FOLLOWS:

ARTICLE 1

THE TWO GOVERNMENTS WILL MAINTAIN AND PROMOTE COOPERATION
UNCLASSIFIED

PAGE 02 TOKYO 05185 181232Z

IN THE FIELD OF ENVIRONMENTAL PROTECTION ON THE BASIS OF EQUALITY,
RECIPROCITY AND UTUAL BENEFIT. SUCH COOPERATION MAY TAKE THE
FOLLOWING FORMS:

(A) MEETINGS OF VARIOUS FORMS, PARTICULARLY THOSE OF

WORKING-LEVEL EXPERTS TO EXPPORE, DISCUSS AND EXCHANGE INFOR-
MATION ON TECHNICAL AND OPERATIONAL ASPECTS OF SPECIFIC SUBJECTS
AND TO IDENTIFY PROJECTS WHICH MAY BE USEFULLY UNDERTAKEN ON
A COOPERATIVE BASIS:

(B) VISITS AND EXCHANGES OF SCIENTISTS, TECHNICIANS OR
OTHER EXPERTS ON SPECIFIC OR GENERAL SUBJECTS;

(C) IMPLEMENTATION OF AGREED COOPERATIVE PROJECTS;
AND

(D) EXCHANGE OF INFORMATION AND DATA ON RESEARCH AND
DEVELOPMENT ACTIVITIES, POLICIES, PRACTICES, LEGISLATION AND
REGULATIONS, AND ANALYSIS OF OPERATING PROGRAMS.

ARTICLE 2

A JOINT PLANNING AND COORDINATION COMMITTEE WILL BE
ESTABLISHED TO DISCUSS MAJOR ENVIRONMENTAL POLICY ISSUES, TO
COORDINATE AND REVIEW ACTIVITIES AND ACCOMPLISHMENTS UNDER THIS
AGREEMENT AND TO MAKE NECESSARY RECOMMENDATIONS TO THE TWO
GOVERNMENTS WITH REGARD TO THE IMPLEMENTATION OF THIS AGREEMENT.
THE COMMITTEE WILL MEET, AT THE LEVEL OF MINISTERS WHERE
APPROPRIATE, AS A RULE ONCE A YEAR ALTERNATELY IN JAPAN AND
THE UNITED STATES OF AMERICA.

ARTICLE 3

COOPERATION MAY BE UNDERTAKEN IN MUTUALLY AGREED AREAS
PERTAINING TO ENVIRONMENTAL PROTECTION AND IMPROVEMENT, SUCH AS:

(A) POLLUTION ABATEMENT AND CONTROL, WHICH COMPRISE:

AIR POLLUTION CONTROL, INCLUDING CONTROL OF EMISSIONS FROM
MOBILE AND STATIONARY SOURCES; WATER POLLUTION CONTROL, INCLUDING
MUNICIPAL AND INDUSTRIAL WASTE-WATER TREATMENT; MARINE POLLUTION
CONTROL; AGRICULTURAL RUNOFF AND PESTICIDES CONTROL; SOLID
WASTE MANAGEMENT AND RESOURCE RECOVERY; CONTROL AND DISPOSAL OF
TOXIC SUBSTANCES; NOISE ABATEMENT; STUDY ON HEALTH; BIOLOGICAL
AND GENETIC EFFECTS OF ENVIRONMENTAL DEGRADATION; AND

(B) OTHER AREAS OF ENVIRONMENTAL PROTECTION AND
IMPROVEMENT AS MAY BE AGREED.

ARTICLE 4

IMPLEMENTING ARRANGEMENTS SPECIFYING THE DETAILS AND
UNCLASSIFIED

PAGE 03 TOKYO 05185 181232Z

PROCEDURES OF COOPERATIVE ACTIVITIES IN THE AREAS REFERRED TO IN
ARTICLE 3 WILL BE MADE BETWEEN THE APPROPRIATE AGENCIES OF THE
TWO GOVERNMENTS.

ARTICLE 5

THE TWO GOVERNMENTS REAFFIRM THAT THE RECOMMENDATIONS OF
INTERNATIONAL ORGANIZATIONS TO WHICH BOTH COUNTRIES ARE PARTIES
WILL BE TAKEN INTO ACCOUNT IN FORMULATING THEIR RESPECTIVE
ENVIRONMENTAL POLICIES.

ARTICLE 6

1. SCIENTIFIC AND TECHNOLOGICAL INFORMATION OF A NON-

PROPRIETARY NATURE ARISING FROM THE COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT MAY BE MADE AVAILABLE TO THE PUBLIC BY EITHER GOVERNMENT THROUGH CUSTOMARY CHANNELS AND IN ACCORDANCE WITH THE NORMAL PROCEDURES OF THE PARTICIPATING AGENCIES.

2. THE DISPOSITION OF PATENTS, DESIGNS AND OTHER INDUSTRIAL PROPERTY ARISING FROM THE COOPERATIVE ACTIVITIES UNDER THIS AGREEMENT WILL BE PROVIDED FOR IN THE IMPLEMENTING ARRANGEMENTS REFERRED TO IN ARTICLE 4.

ARTICLE 7

NOTHING IN THIS AGREEMENT SHALL BE CONSTRUED TO PREJUDICE OTHER ARRANGEMENTS OR FUTURE ARRANGEMENTS FOR COOPERATION BETWEEN THE TWO GOVERNMENTS.

ARTICLE 8

ACTIVITIES UNDER THIS AGREEMENT SHALL BE SUBJECT TO BUDGETARY APPROPRIATIONS AND TO THE LAWS AND REGULATIONS OF EACH COUNTRY.

ARTICLE 9

THE TERMINATION OF THIS AGREEMENT SHALL NOT AFFECT THE CARRYING OUT OF ANY PROJECT AND PROGRAM UNDERTAKEN IN ACCORDANCE WITH THE IMPLEMENTING ARRANGEMENTS REFERRED TO IN ARTICLE 4 AND NOT FULLY EXECUTED AT THE TIME OF THE TERMINATION OF THIS AGREEMENT.

UNCLASSIFIED

PAGE 04 TOKYO 05185 181232Z

ARTICLE 10

1. THIS AGREEMENT SHALL ENTER INTO FORCE UPON SIGNATURE AND REMAIN IN FORCE FOR FIVE YEARS.

HOWEVER, EITHER GOVERNMENT MAY AT ANY TIME GIVE NOTICE TO THE OTHER GOVERNMENT OF ITS INTENTION TO TERMINATE THIS AGREEMENT, IN WHICH CASE THIS AGREEMENT WILL TERMINATE SIX MONTHS AFTER SUCH NOTICE HAS BEEN GIVEN.

2. THIS AGREEMENT MAY BE EXTENDED BY MUTUAL AGREEMENT FOR ANOTHER SPECIFIED PERIOD.

DONE AT _____ ON _____, IN
DUPLICATE IN THE JAPANESE AND ENGLISH LANGUAGES, BOTH BEING
EQUALLY AUTHENTIC.

FOR THE GOVERNMENT OF _____ FOR THE GOVERNMENT OF THE
JAPAN: _____ UNITED STATES OF AMERICA:

AGREED MINUTES

THE REPRESENTATIVES OF THE GOVERNMENT OF JAPAN AND OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA WISH TO RECORD THE FOLLOWING UNDERSTANDING REACHED DURING THE NEGOTIATIONS FOR THE AGREEMENT BETWEEN THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON COOPERATION IN THE FIELD OF ENVIRONMENTAL PROTECTION, SIGNED TODAY.

IT IS UNDERSTOOD THAT IN IMPLEMENTING THE PROVISIONS OF ARTICLE 5 ON THE ABOVE-MENTIONED AGREEMENT, THE TWO GOVERNMENTS REAFFIRM THAT THE "GUIDING PRINCIPLES CONCERNING INTERNATIONAL ECONOMIC ASPECTS OF ENVIRONMENTAL POLICIES" ADOPTED IN 1972 BY THE COUNCIL OF THE ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT OR ANY GUIDING PRINCIPLE AMENDATORY OR SUPPLEMENTARY THERETO WILL CONTINUE TO SERVE AS A BASIS FOR THE FORMULATION OF THEIR RESPECTIVE ENVIRONMENTAL POLICIES.

TOKYO (DATE) 1975

(SIGNATURE) (SIGNATURE) END TEXT.

UNCLASSIFIED

PAGE 05 TOKYO 05185 181232Z

2. EMBASSY'S COMMENTS WILL BE SENT IN SEPTTEL.
HODGSON

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<< END OF DOCUMENT >>

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